

1                   A bill to be entitled  
2           An act relating to textbook affordability; creating s.  
3           1004.09, F.S.; prohibiting certain actions of community  
4           college or state university employees that relate to  
5           student purchase of required textbooks; requiring student  
6           notification of assigned textbooks; requiring adoption of  
7           specified policies and practices to minimize the cost of  
8           textbooks; requiring a study and report by the Office of  
9           Program Policy Analysis and Government Accountability;  
10          providing an effective date.

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12          WHEREAS, textbooks are an essential part of a comprehensive  
13          and high-quality postsecondary education, and

14          WHEREAS, the availability and affordability of textbooks  
15          directly impact the quality and affordability of postsecondary  
16          education, and

17          WHEREAS, the United States Government Accountability Office  
18          recently reported that in the last two decades college textbook  
19          prices have increased at twice the rate of inflation, and

20          WHEREAS, the United States Government Accountability Office  
21          reported that, while many factors affect textbook pricing, the  
22          increasing costs associated with developing instructional  
23          supplements to accompany textbooks best explain price increases  
24          in recent years, and

25          WHEREAS, the United States Government Accountability Office  
26          reported that college textbook prices in the United States may  
27          exceed prices in other countries because prices reflect market

28 | conditions found in each country, such as the willingness and  
 29 | ability of students to purchase the textbook, and

30 |       WHEREAS, the cost of textbooks is one component considered  
 31 | in making federal and state-funded financial aid awards, and as  
 32 | such, escalating textbook prices can impact federal and state  
 33 | spending, and

34 |       WHEREAS, state universities and community colleges should  
 35 | consider the least costly practices in assigning textbooks when  
 36 | such practices are educationally sound, NOW, THEREFORE,

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38 | Be It Enacted by the Legislature of the State of Florida:

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40 |       Section 1. Section 1004.09, Florida Statutes, is created  
 41 | to read:

42 |       1004.09 Textbook affordability.--

43 |       (1) No employee of a community college or state university  
 44 | may demand or receive any payment, loan, subscription, advance,  
 45 | deposit of money, service, or anything of value, present or  
 46 | promised, as an inducement for requiring students to purchase a  
 47 | specific textbook for coursework or instruction, with the  
 48 | exception that an employee may receive:

49 |       (a) Sample copies, instructor copies, or instructional  
 50 | materials, not to be sold.

51 |       (b) Royalties or other compensation from sales of  
 52 | textbooks that include the instructor's own writing or work.

53 |       (2) No later than 45 days prior to the first day of  
 54 | classes or at the time a course instructor or the academic  
 55 | department offering a course identifies a textbook for order and

56 subsequent student purchase, whichever is earlier, community  
57 colleges and state universities shall notify students of the  
58 textbooks assigned for each course offered at the institution by  
59 listing each assigned textbook on the website of the  
60 institution. The notification shall include the International  
61 Standard Book Number (ISBN) for each textbook along with other  
62 relevant information.

63 (3) By March 1, 2008, the State Board of Education and the  
64 Board of Governors each shall adopt policies, procedures, and  
65 guidelines for implementation by community colleges and state  
66 universities, respectively, that further efforts to minimize the  
67 cost of textbooks for students attending such institutions while  
68 maintaining the quality of education and academic freedom. The  
69 policies, procedures, and guidelines shall provide for the  
70 following:

71 (a) That textbook adoptions are made with sufficient lead  
72 time to bookstores so as to confirm availability of the  
73 requested materials and, where possible, ensure maximum  
74 availability of used books.

75 (b) That, in the textbook adoption process, the intent to  
76 use all items ordered, particularly each individual item sold as  
77 part of a bundle package, is confirmed by the course instructor  
78 or the academic department offering the course before the  
79 adoption is finalized.

80 (c) That a course instructor or the academic department  
81 offering the course confirms before an adoption is finalized  
82 that the selection of a new edition textbook is based on a  
83 determination by the academic department offering the course

84 that the new edition differs significantly in a substantive way  
85 from earlier versions.

86 (d) That the establishment of policies shall include  
87 provisions for the availability of required textbooks to  
88 students otherwise unable to afford the cost.

89 Section 2. (1) The Office of Program Policy Analysis and  
90 Government Accountability shall conduct a study of the rising  
91 costs of college textbooks and textbook purchasing practices of  
92 public postsecondary educational institutions in the state. In  
93 conducting the study, the Office of Program Planning and Policy  
94 Analysis shall:

95 (a) Conduct a sample survey of students in community  
96 colleges and state universities regarding the costs of textbooks  
97 each semester.

98 (b) Review and analyze the textbook purchasing policies of  
99 community colleges and state universities to develop and  
100 disseminate best practices for textbook purchasing.

101 (c) Review policies and practices that are being  
102 considered or have been implemented by institutions of higher  
103 education in this state and other states to reduce the financial  
104 burden of textbook costs to students and their families,  
105 including, but not limited to, use of used textbooks, rental  
106 textbook systems, digital textbook subscriptions, textbook  
107 financing programs, faculty education, and standard procedures  
108 for institutions and college bookstores.

109 (2) A final report, including recommendations, shall be  
110 submitted to the President of the Senate and the Speaker of the  
111 House of Representatives by December 1, 2007.

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Section 3. This act shall take effect July 1, 2007.